UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEROY COLLINS,

       Plaintiff,

                                       Civil Action 2:12-cv-1093
   v.   **Judge George C. Smith**
                                       Magistrate Judge Deavers

WARDEN, LONDON CORRECTIONAL
INSTITUTION, *et al.*,

       Defendants.

<u>**ORDER**</u>

This matter is before the Court for consideration of the December 7, 2012 Report and

Recommendation of the Magistrate Judge. (ECF No. 4). Following an initial screen pursuant to

28. U.S.C. § 1915(e), the Magistrate Judge recommended dismissal of Plaintiff's purported

claims against Defendant Timmerman-Cooper for failure to monitor inmate complaints. (*Id.* at

6-7). Specifically, the Magistrate Judge concluded that Plaintiff failed to state a claim upon

which relief may be granted against Defendant Timmerman-Cooper because Plaintiff failed to

allege sufficient personal involvement and deprivation of a right secured by the Constitution,

both of which are required for a plaintiff to properly assert a claim under 42 U.S.C. § 1983. (*Id.*

at 5-7).

In her Report and Recommendation, the Magistrate Judge specifically informed the

parties that "the failure to object to the Report and Recommendation will result in a waiver of the

right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of

the District Court." (*Id.* at 8.) The time period for filing objections to the Report and

Recommendation has expired. No party has objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation of the Magistrate Judge. Noting that no objections have been filed and that the time for filing objections has expired, the Court **ADOPTS** the Report and Recommendation. (ECF No. 4). Accordingly, Plaintiff's claims against Defendant Timmerman-Cooper are **DISMISSED**. At this juncture, Plaintiff may proceed with his claims against the remaining Defendants.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT